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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIGE TAKIGUCHI, et. al,
Individually and On Behalf of All
Others Similarity Situated,

Plaintiffs,

v.

MRI INTERNATIONAL, INC.,
EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND
ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING
OCTOBER 2017**

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in October 2017 in the
9 amount of \$11,167.50, in connection with: coordinating global settlement
10 discussions, and communications with multiple counsel, Plan fiduciaries and the
11 Court regarding settlement issues, and research regarding ERISA issues;

12 WHEREAS such fees and costs are payable as follows:

- 13 • \$6,842.50 payable to Foundation Law Group LLP, lead counsel for
14 the Plan;
- 15 • \$3,700.00 payable to Enenstein Pham & Glass, local counsel for the
16 Plan;
- 17 • \$625.00 payable to Brucker & Morra, APC, ERISA counsel for the
18 Plan.

19 WHEREAS the invoices for the Plan’s legal fees with specific descriptions
20 of the work accomplished are attached hereto as Exhibit “A”;

21 WHEREAS the Parties have communicated a mutual desire to avoid the
22 necessity of a formal motion for attorneys’ fees through this Stipulation;

23 NOW, therefore, the Parties stipulate as follows:

- 24 1. \$6,842.50 of the funds held by LPL Financial for the benefit of the Plan
25 shall be unfrozen and released from the preliminary injunction [183] and
26 paid to Foundation Law Group LLP;
- 27 2. \$3,700.00 of the funds held by LPL Financial for the benefit of the Plan
28 shall be unfrozen and released from the preliminary injunction [183] and
paid to Enenstein Pham & Glass;

- 1 3. \$625.00 of the funds held by LPL Financial for the benefit of the Plan
2 shall be unfrozen and released from the preliminary injunction [183] and
3 paid to Brucker & Morra, APC;
- 4 4. The remaining funds held by LPL Financial for the benefit of the Plan
5 shall remain frozen and subject to the preliminary injunction [183]
6 pending a further application for payment of attorneys' fees and
7 expenses; and
- 8 5. Payment of attorneys' fees and expenses for the month of October 2017
9 (per items 1-3 above) shall be made from cash on hand that is held in the
10 name of the Plan.

11 DATED: November 3, 2017

DATED: November 3, 2017

12 **MANNING & KASS ELLROD**
13 **RAMIREZ, TRESTER LLP**

ENENSTEIN PHAM & GLASS

14 By: /s/ James E. Gibbons
15 *Attorneys for Plaintiffs*

By: /s/ Robert A. Rabbat
Attorneys for Suzuki Enterprises, Inc.,
Profit Sharing Plan

17
18
19 DATED: November 3, 2017

DATED: November 3, 2017

20
21 **LAW OFFICES OF ROBERT W.**
22 **COHEN, A.P.C.**

FOUNDATION LAW GROUP LLP

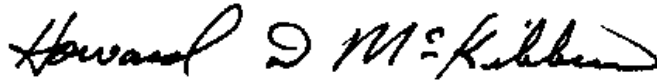
23 By: /s/ Robert W. Cohen
24 *Attorneys for Plaintiffs*

By: /s/ Gregg D. Zucker
Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED this 7th day of November, 2017.

A handwritten signature in black ink, reading "Howard D. McKibben". The signature is written in a cursive style with a horizontal line underneath it.

United State District Court Judge